

FILED

JAN 22 2020

Clerk, U.S. District Court
District Of Montana
Missoula

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**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

UNITED STATES OF AMERICA,	CR 20- 2 -BU- DLC
Plaintiff,	INDICTMENT
vs.	WIRE FRAUD
ANNA MICHELLE NILES,	(Counts I-XV)
Defendant.	Title 18 U.S.C. § 1343
	(Penalty: 20 years imprisonment, \$250,000 fine, and three years of supervised release)

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this indictment:

The defendant, ANNA MICHELLE NILES, performed bookkeeping and

accounting services for Crescent Cross, LLP, Clair W. Daines, Inc., Genesis Partners, LLC, Bitterroot Turf Farm, Inc., and other related business entities. While performing those services, the defendant, ANNA MICHELLE NILES, embezzled from those business entities by diverting funds through checks, stealing cash, claiming leave she was not entitled to obtain, receiving unauthorized 401(k) loan payments, and using business credit cards on personal expenses, none of which was authorized. The investigation has shown that the defendant, ANNA MICHELLE NILES, embezzled approximately \$433,018.80 from the above business entities.

COUNTS I-XV - WIRE FRAUD

That in or about 2009, and continuing thereafter until in or about 2018, at Bozeman, in Gallatin County, in the State and District of Montana, and elsewhere, the defendant, ANNA MICHELLE NILES, having devised and intending to devise a material scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice, knowingly transmitted and caused to be transmitted by means of wire communication, in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice.

MANNER AND MEANS

The defendant, ANNA MICHELLE NILES, used her status as a long-time trusted employee with multiple companies to gain access to the companies' books, funds, and ultimately defrauded them.

The defendant, ANNA MICHELLE NILES, intercepted and stole cash rental payments from Cresent Cross, LLP. To conceal the stolen funds, the defendant, ANNA MICHELLE NILES, wrote and obtained checks made payable from other company accounts to Cresent Cross, LLP. The defendant, ANNA MICHELLE NILES, led the other companies to believe they owed money to Cresent Cross, LLP, when in truth and in fact, no such business debts were owed. This scheme allowed the defendant, ANNA MICHELLE NILES, to cover her stealing of the cash deposits from Cresent Cross, LLP, because it did not appear as if Cresent Cross, LLP, lost as much revenue.

The defendant, ANNA MICHELLE NILES, used her access to payroll systems to secure unearned pay to herself and use funds to repay loans she owed to her 401(k). The defendant, ANNA MICHELLE NILES, therefore received unauthorized and excessive leave pay and unauthorized and unapproved 401(k) loan payments.

The defendant, ANNA MICHELLE NILES, used company credit cards and credit accounts to purchase personal items at Story Distributing, Murdocks, and

Staples, none of which was authorized.

As a result, the defendant, ANNA MICHELLE NILES, embezzled and stole approximately \$433,018.80 from Cresent Cross, LLP, Clair W. Daines, Inc., Genesis Partners, LLC, and Bitterroot Turf Farm, Inc.

THE INTERSTATE AND FOREIGN WIRE COMMUNICATIONS

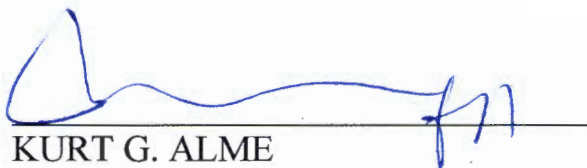
During the period of the indictment, it was part of the scheme and artifice to defraud that the defendant, ANNA MICHELLE NILES, having devised and intending to devise a material scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, as described herein, and for the purpose of executing the scheme to defraud, knowingly transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, that is, checks as identified in the table below, which travelled to and from Bozeman, in Gallatin County, in the State and District of Montana, and elsewhere, to and from Minneapolis, Minnesota, in the District of Minnesota, and elsewhere, all in violation of 18 U.S.C. § 1343.

Count	Date	Company	Check Number	Amount
I	3/16/15	Clair W. Daines, Inc.	57198	\$8,515.00
II	8/10/15	Clair W. Daines, Inc.	57469	\$8,750.00

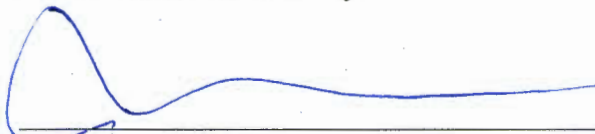
Count	Date	Company	Check Number	Amount
III	9/1/15	Clair W. Daines, Inc.	57625	\$8,834.00
IV	10/01/15	Clair W. Daines, Inc.	57870	\$4,845.00
V	4/21/16	Clair W. Daines, Inc.	58494	\$1,575.00
VI	4/27/16	Clair W. Daines, Inc.	58493	\$7,225.00
VII	6/27/16	Clair W. Daines, Inc.	58491	\$8,435.00
VIII	8/24/16	Clair W. Daines, Inc.	58687	\$9,290.00
IX	12/22/16	Clair W. Daines, Inc.	59118	\$9,200.00
X	1/19/17	Clair W. Daines, Inc.	59312	\$62.44
XI	3/1/17	Genesis Partners, LLC	2263	\$1,025.00
XII	8/11/17	Bitterroot Turf Farms, Inc.	12525	\$1,125.00
XIII	8/30/17	Genesis Partners, LLC	2394	\$2,100.00
XIV	10/3/17	Bitterroot Turf Farms, Inc.	12591	\$2,100.00
XV	10/3/17	Clair W. Daines, Inc.	59856	\$3,700.00

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.



KURT G. ALME
United States Attorney



JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Summons issued: 1-22-20
Return: 2-18-20 @ 1:30pm -
Judge Desoto